

VILLAGE OF BREWSTER

BOARD OF TRUSTEES

July 20, 2011

REGULAR MEETING

Minutes

The Board of Trustees of the Village of Brewster held a Regular Meeting at 7:30 P.M. on July 20, 2011 at Village Hall, 50 Main Street, Brewster, New York.

Attendees:

Mayor: James Schoenig
Deputy Mayor and Trustee: Christine Piccini
Trustees: Tom Boissonnault, Mary Bryde, Terri Stockburger
Village Engineer: John Folchetti
Village Counsel: Anthony Molé,
Clerk & Treasurer: Peter Hansen
Village Police: John Del Gardo

Absent:

Mayor Schoenig motions to open the meeting at 7:31, Trustee Stockburger 2nd all in favor 5 to 0.

Pledge to flag.

Notation of Exits

1) Monthly Reports

- a. Engineer's Report - John Folchetti delivers the engineer's report. Mayor Schoenig motions to accept the engineer's report dated July 20, 2011, Trustee Stockburger 2nd all in favor 5 to 0.
 - i. Board of Trustees provides authorization for Engineer to send a letter to NYSDOT regarding proposed approach to Rte. 6 Culvert and Retaining Wall remediation.
- b. Police Report - Chief Inspector John Del Gardo delivers the June Police Report. Deputy Mayor Piccini motions to accept the June Police Report, Trustee Stockburger 2nd all in favor 5 to 0.
- c. Planning Board Report – Rick Stockburger delivered the Planning Board Report for June.
- d. Code Enforcement Report – Pete Hansen delivered the Code Enforcement Report for June. Deputy Mayor Piccini motions to accept the Code Enforcement Report for June, Trustee Bryde 2nd, all in favor 5 to 0.

2) Carmel Ave. Bridge update

- a. Mayor Schoenig motions to authorize Counsel to send a response to MTA legal, Trustee Boissonnault 2nd all in favor 5 to 0.

3) Correspondence sent-received

- a. Mayor Schoenig motions to approve the Correspondence Sent-Received for June, Deputy Mayor Piccini 2nd all in favor 5 to 0.

4) July 6 Minutes for approval

- a. Trustee Bryde motions to approve the July 6, 2011 minutes, Trustee Boissonnault 2nd all in favor 4 to 0. Mayor Schoenig abstains.

5) Electrical & Gas permits & fees

- a. Table until August 3, 2011 meeting

6) Knox Box & Alarm systems

- a. Table until August 3, 2011 meeting

7) Fee Schedule changes – C of C, C of O, Operating Permit/Fire Inspection combination fee

- a. Deputy Mayor Piccini motions to set the fees for Combined Operating Permit & Fire Inspection Fee at \$150 and Certificate of Occupancy/Certificate of Compliance at \$50, Trustee Bryde 2nd all in favor 5 to 0.
 - i. Combined Operating Permit & Fire Inspection at \$150.00
 - ii. Certificate of Occupancy/Certificate of Compliance at \$50.00
- 8) 208 Main project
 - a. Mayor Schoenig motions to award the contract for the HVAC work at 208 Main to J.P. McNeil & Associates in the amount of \$14,775.00, Trustee Boissonnault 2nd all in favor 5 to 0.
- 9) Access to Connecticut DMV to obtain registration information
 - a. Deputy Mayor Piccini motions to authorize the expenditure of CT registration lookup for unpaid violations and pass along the fee to the offender, Mayor Schoenig 2nd all in favor 5 to 0.
- 10) Set Taxicab Local Law Amendment Public Hearing
 - a. Mayor Schoenig motions to set the Taxicab local law public hearing at 7:30 PM August 3rd, 50 Main Street Village Hall, Deputy Mayor Piccini 2nd all in favor 5 to 0.
- 11) Water outside Village
 - a. Update of Peaceable Hill Water contract. Mayor Schoenig wants to discuss the terms of a future contract with the Peaceable Hill water district residents to ensure their interests are heard.
 - b. Address how to drive the other outside village water customers to move the Town water district formation forward.
- 12) Vouchers Payable

a.	A General	\$82,680.29
b.	F Water	10,297.89
c.	G Sewer Operations	20,460.12
d.	H10 Wastewater Capital Project	955.00
e.	H15 Sidewalks SAFETEA-LU	918.50
f.	TA Trust and Agency	1,785.79
	Total Vouchers Payable	\$117,097.59

Mayor Schoenig motions to approve Vouchers Payable, Deputy Mayor Piccini 2nd all in favor 5 to 0.
- 13) Other Business
 - a. Deputy Mayor Piccini discusses the submittal for the Micro Enterprise Grant process. Next step is to be invited to apply.
 - b. Trustee Stockburger is working on banners design and acquisition.
 - c. Trustee Bryde discusses the Blight Study status. Clerk says the firm has all the information they need. We estimate they are two to three weeks behind because of delays on our side providing all pertinent information. Trustee Bryde also asked about the computers and car for auction. Clerk says there are still details that need to be collected before listing items for auction and we would like to see if there are any local takers for the displays. Trustee Bryde said the Bailey Park area looks good.
 - d. Trustee Boissonnault reiterated the Bailey Park area looks much nicer.
 - e. Mayor Schoenig discusses the offer to the Brewster Central School District of a dedicated patrol for Garden Street School offered by the Village for \$15,000 per year. Understanding that the Sherriff had offered to do the same for \$80,000 per year we felt we were providing a valuable service and saving to the BCSD. At a recent School Board meeting Sherriff Smith offered to provide the service at no cost which the BCSD School Board approved without anything in writing on the spot. Mayor Schoenig wonders aloud how the Sherriff can go from \$80,000 per year to \$0 for the same service and whether other School Districts in Putnam County are paying for this same service that is being provided to BCSD for free.

14) New Business

- a. Trustee Stockburger wants to buy new flower baskets when they go on sale this fall. We need sturdier baskets as the current ones are three years old and falling apart.
- b. Trustee Bryde discusses the IT back up situation. Deputy Mayor Piccini motions to approve the online backup service for business continuity at \$200 per year for 100 GB, Trustee Stockburger 2nd all in favor 5 to 0.
- c. Trustee Boissonnault discusses the addition of Blight Ordinances to our Village Code. Trustee Boissonnault discusses the sidewalks that roots are bulging. Jack Gress suggests a concrete grinder to bring the bulges back down to grade.
- d. Mayor Schoenig mentions that the Fire Department parade is Wednesday July 27th and notices should be posted a week in advance by the Fire Department. Oak Street will remain open during the parade.

15) Public Comment

- a. Rick Stockburger asks for notices to be available Friday morning advising of the parade.

16) Mayor Schoenig motions to adjourn, Trustee Stockburger 2nd all in favor 5 to 0.

CORRESPONDENCE

JUNE, 2011

CORRESPONDENCE RECEIVED:

1. State of New York Department of Transportation RE: Restriction of Highway Contract D261648 Traffic Signal Replacement Contract various counties. The highways on the subject Contract have been designated restricted highways pursuant to Section 104a of the Highway Law. (Dated June 2, 2011).
2. Daniel J. Hannon & Assoc. RE: Bruce Zarzeski v. DJ & NA Management File #A-53457/1 date of loss 11/6/06. On 11/6/06, Bruce Zarzeski tripped and fell on a section of broken concrete at 861 Route 22, Brewster, New York. We need to obtain copies of all inspection reports, complaints and permits with regard to the parking lot at 861 Route 22, Brewster, New York. (Dated June 8, 2011).
3. Putnam County Department of Planning & Development & Public Transportation RE: Charles Fowler case received 5/20/11 completed 6/7/11. Referred by ZBA 5-7 Putnam Avenue, Brewster, NY 10509 TM 56.19-2-1. Decision by County approved as submitted. (Dated June 16, 2011).
4. James P. McGee RE: Freedom of Information request for copies of building permits. I am attempting to collect a NYS Supreme Court judgment and in order to do so I need to gather prior construction project information. Building Permit Applications (i.e., pages with the property owner's and Builder's names) issued in 2005, 2006, 2007, 2008, 2009, 2010 and 2011 to all properties owned by The Putnam Community Foundation. (Dated June 16, 2011).
5. New York State Municipal Workers' Compensation Alliance (Ms. Suzanne Aluise) RE: Notice of receipt of reservation of rights letters and possible termination of membership. Please be advised that the Village of Brewster has notified us that they are considering alternate quotes for the July 1, 2011 renewal. Please note that if the Village of Brewster notifies us that they are renewing their membership in the NYS Municipal Workers' Compensation Alliance by June 27, 2011, I will send you a notice to rescind the termination of membership form. (Dated June 16, 2011).
6. Putnam County Office of The Sheriff RE: Letter to Mayor Schoenig in response to commending the actions of Correction Officer Michael Villani. It is always a pleasure to receive a letter of praise for a member of my staff and I personally thank you for taking the time to write. Your letter will be made a part of his official personnel file. Again, thank you and if we may be of service to you in the future, please do not hesitate to call. (Dated June 22, 2011).
7. James P. McGee RE: Freedom of Information Law Request for copies of building permit application and/or Village of Brewster Records Authorizing Renovation or Improvement work to Putnam County owned buildings located in the Village of Brewster. (Dated June 23, 2011).

8. Herodes & Mole RE: route 6 Bridge enclosed please find a letter from Metro-North Railroad regarding the route 6 bridge for distribution to the board. (Dated June 28, 2011).
9. Cornell University Cooperative Extension Putnam County RE: 40th Annual Putnam County 4-H Fair, Friday July 29th through Sunday July 31st at the Putnam County Veterans Memorial Park, 201 Gypsy Trail Road, Carmel. (Dated June 28, 2011).
10. James P. McGee RE: Freedom of Information request for copies of building permit applications and/or Village of Brewster Records authoring renovation or improvement work to Putnam County owned buildings located in the Village of Brewster. (Dated June 28, 2011).

CORRESPONDENCE SENT:

1. Mr. Joe Divestea Putnam Community Foundation RE: Snow Maintenance cost estimate for 50 Main Street. Total estimate to clear & maintain 50 Main St. Parking area, entrances, exits and sidewalk is \$22,111.00. This is an estimate which is subject to change. (Dated June 9, 2011).
2. Sheriff Donald Smith RE: Thank you letter to your department for the assistance given to the Brewster Police Department on Sunday June 5, 2011. It continues to be a pleasure to work with you and your deputies. Deputy Michael Villani exhibited an eager professionalism while training our officers on the use of the Taser. (Dated June 9, 2011).
3. Ms. Anita Gilbert (Dept. of Finance) RE: Responding to your request for information relating to the undying & overlapping debt. Total Indebtedness \$13,263.00, Total Exclusions \$13,113,198, and Total Net indebtedness \$150,000. If you have any questions please contact the undersigned at 845-279-3760. (Dated June 9, 2011).
4. James McGee RE: Response to your request for all building permit applications for Putnam Community Foundation for the listed properties of Mayor Mitchell Court, and 137 Main Street, there is no information on file. With regard to contractors and or companies; J. Dunn, Galindo Landscaping, and Faley Construction. We are unable to locate any building permits or building permit applications for the above listed companies. (Dated June 16, 2011).
5. To whom It May Concern RE: The Village of Brewster has retained Ferrandino & Associates Inc. planning consultants to conduct a survey of properties in the downtown for planning purposes. This includes photographs and exterior visual inspection. Direct any questions & inquires to Peter Brewster Hansen. (Dated June 21, 2011).
6. Caswell Holloway, Commissioner Dept. Of Environmental Protection RE: Request for a partial extension or contract time for the contract CR)-297. From

July 1, 2011 to June 30th, 2012 a total of 365 consecutive calendar days. (Dated June 28, 2011).

7. James P. McGee RE: Letter from Peter Hansen in response to your foil request received by this office June 23, 2011 for all building permit applications for the years 2002 thru 2011 for Putnam County owned buildings. We were unable to locate any building permits or any other records authorizing renovations for the above listed properties. (Dated June 28, 2011).
8. Natalie Gatti RE: Letter from Mayor Schoenig concerning alleged damage to your vehicle from emergency towing on June 6, 2011. After reviewing your letter with Officer Baumgardt, the officer on duty at the time of towing, we are not aware of any damage done to your vehicle by the tow. There was a substantial delay between the emergency towing incident and your repair estimate of June 18, 2011. The proper place to continue your claim for damages would be with the towing company, in this case; Don's Automotive in Brewster, Not the Village of Brewster. (Dated June 30, 2011).

**VILLAGE OF BREWSTER
MONTHLY PROGRESS REPORT**

1. <u>GENERAL INFORMATION</u>		
Report No: 7 of 2011	Date: 7/20/2011	Contract No:
Facility Name: VOB / WASTEWATER TREATMENT PLANT		

2.	<u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including:)
a.	Activities completed this month (attach additional pages as needed)
	<ul style="list-style-type: none"> • Plant flows averaged 134,000 gpd for the month of May 2011 • Purchase Orders issued for the following replacement equipment: one (1) submersible pump for the Marvin Avenue Pump Station; two (2) spare on-lot pump station pumps and granular activated carbon for EQ Tank odor control system
b.	Status of activities in progress this month (attach additional pages as needed):
	<ul style="list-style-type: none"> • STES getting budget quotes from Siemens for replacement CMF membrane modules • Adjusting wasting sludge wasting rates to improve sludge thickening
c.	Activities scheduled (attach additional pages as needed):
	<ul style="list-style-type: none"> • Adjust process control parameters for sludge thickener tank to improve sludge thickening • Implement aerobic digestion of sludge in Equalization Tank chamber to reduce the volume of sludge transported off site • Install recently purchased equipment upon receipt • Investigate cause of ongoing electrical service breaker trip on Automatic Transfer Switch #1

1. <u>GENERAL INFORMATION</u>		
Report No: 7 of 2011	Date: 7/20/2011	Contract No:
Facility Name: VOB / EPA Stormwater Phase II Regulations		

2. <u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including :)	
a.	Activities completed this month (attach additional pages as needed):
	<ul style="list-style-type: none"> • Provided stormwater literature for dissemination throughout the Village. • Maintained monthly stormwater maintenance/good housekeeping reports quantifying the number of pounds of litter and the number of cubic yards of sand cleaned up throughout the Village. • Submitted Annual Report to NYSDEC on May 27, 2011. • Completed coordination with NYSDOT on repair of Route 6 catch basin/inlet structure. • Met with County Executive/Deputy County Executive/Putnam County Legislature Chairman/County Attorney and the Putnam County MS4CC Chairman regarding funding Tonetta Brook and Wells Brook • Putnam County Legislature Physical Services Committee unanimously voted to fund the remaining \$2.2 million Tonetta Brook and Wells Brook Retrofits contingent on merger of PCMS4CC and Village of Brewster plans by next meeting of the full legislature.
b.	Status of activities in progress this month (attach additional pages as needed):
	<ul style="list-style-type: none"> • Awaiting decision on soils contamination before adopting Lead Agency for Tonetta Brook Retrofit. • Awaiting NYCDEP re-write of old wastewater treatment plant Phase I Site Assessment. • Continue to negotiate with Putnam County for additional funding for Wells Brook Retrofit project. • NYSDOT repairing catch basin/inlet structure on Route 6.
c.	Activities scheduled (attach additional pages as needed):
	<ul style="list-style-type: none"> • Negotiate Change Order with NYCEP • Submit Retrofit worksheets to PCMS4CC • Meet with PCMS4CC STAC on 27 July to merge plans • County Legislature vote on funding Tonetta Brook and Wells Brook on 2 August

1. <u>GENERAL INFORMATION</u>		
Report No: 1 of 2011	Date: 7/20/2011	Contract No:
Facility Name: VOB ROUTE 6 CULVERT AND WALL REPAIR		

2. <u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including:)	
a.	Activities completed this month (attach additional pages as needed):
	<ul style="list-style-type: none"> Met with NYSDOT on July 12 to discuss the culvert and wall project and inspect sinkhole in front of Steve Abels building. (see attached email sent to Village Board on 7/14/2011) Results of sinkhole investigation were inconclusive. No visible connection to old culvert found or signs of running water. Village DPW filled sinkhole with crushed stone. Discussed changing concept of the plans currently in front of NYSDOT to a replacement of the entire culvert.
b.	Status of activities in progress this month (attach additional pages as needed):
	<ul style="list-style-type: none"> Discuss change in scope of project with the Village Board. Coordinate with NYSDOT.
c.	Activities scheduled (attach additional pages as needed):
	<ul style="list-style-type: none"> With Board approval, submit Letter Report detailing revised approach to NYSDOT

J. E. Folchetti, P.E.
CEO
J. Robert Folchetti & Associates
247 Route 100
Somers, NY 10589
Tel: (914) 232-2500
Fax: (914) 232 6827
email: john.folchetti@jrfa.com
www.jrfa.com

From: John Folchetti [mailto:John.Folchetti@jrfa.com]

Sent: Thursday, July 14, 2011 1:00 PM

To: Anthony Mole; Christine Piccini (Dpiccini@aol.com); 'Jim Schoenig'; Mary Bryde; Pete Hansen; 'Terri Stockburger (E-mail)'; Tom Boissonnault

Subject: NYSDOT_Route 6 Culvert & Wall

Folks,

I met with Lance MacMillan, DOT's Resident Engineer, on Tuesday morning to discuss the culvert & wall project. A new sinkhole had opened up in front of Steve Abels' building adjacent to the existing stone culvert. Investigation of the cause of that sinkhole was inconclusive, as there was no visible connection to the old culvert, nor was there any audible indication (sound of running water) coming from the hole. Dan filled it with crushed stone.

I walked up the inside of the stone culvert & took pictures of the condition, but it was too dark for the flash to work correctly. Suffice it to say that the culvert is badly deteriorated. One large stone has fallen directly into the center of the channel at the point where the Oak St culvert (installed ~ 1996) ties into the old culvert and is blocking well over half of the culvert; the west wall of the culvert is collapsing in on itself and is the cause of the depression in the parking lot west of Abels.

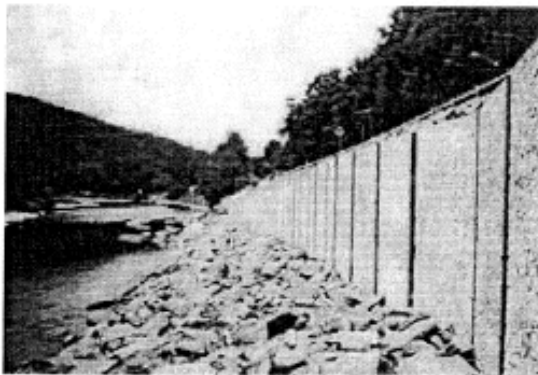
The current plan we have in front of DOT (from 04, submitted again in 08/09) calls for replacing the existing culvert in the roadway only (not across Abels' to connect to the Oak St work), as well as excavating the eastbound lane of NYS Rte 6 to the wall and backfilling it the Controlled Low Strength Material (CLSM). CLSM was recommended by DOT back in 04 or so as a means of relieving the dynamic load on the wall generated by the vehicle traffic. We know a portion of the wall has collapsed and that the section where the culvert discharges (the collapsed basin we viewed a couple weeks ago) is bulging badly.

Mr. Macmillan and I discussed changing the concept of the plan to replacing the entire culvert as far back as the Oak St work and not worrying about the entire wall. I believe we can potentially repair the failed section and shore the failing section by using a soldier pile & precast concrete lagging type of wall. This approach would consist of auguring steel H piles about 30 feet into the ground every 6 feet on the low side of the wall in the failed and failing areas and emplacing precast concrete panels between them to form a new wall.....picture of a finished product below. By minimizing the amount of excavated road we can potentially reduce the extension of wall failure, repair/reinforce what is necessary at this time with the potential to extend the pile repair in the event of future wall sag, and focus on replacing all of the

drainage alongside Abels' building. Mr MacMillan is in general agreement with the approach and suggesting making a conceptual submittal the DOT's District 8 geotechnical engineer, Mr. Paul Salchert.

I am available to meet any of you onsite at your convenience to explain further & would like to discuss this at the next meeting.

J. E. Folchetti, P.E.
CEO
J. Robert Folchetti & Associates
247 Route 100
Somers, NY 10589
Tel: (914) 232-2500
Fax: (914) 232 6827
email: john.folchetti@jrfa.com
www.jrfa.com



1. <u>GENERAL INFORMATION</u>		
Report No: 7 of 2010	Date: 7/20/2011	Contract No:
Facility Name: VOB / SAFTEA LU SIDEWALK		

2. <u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including:)
a. Activities completed this month (attach additional pages as needed):
• Addressing comments received on April 26, 2011 from NYSDOT on Engineer's Report
b. Status of activities in progress this month (attach additional pages as needed):
• Re-submit Engineer's Report to NYSDOT by July 27, 2011

VILLAGE OF BREWSTER POLICE DEPARTMENT

MONTHLY REPORT - 2011

TO: Mayor James Schoenig - Board of Trustees
From: Chief Inspector John Del Gardo
Re: Monthly Report June 2011

TICKETS

Uniform Traffic Tickets:	215
DOT Truck Enforce:	58
Parking Tickets:	132
Taxi Soliciting:	2
Taxi Parked in Meter:	1
Public Intox	2

TOTAL TICKETS	352
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TAXI INSPECTIONS	95
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VEHICLE

Repairs:	\$80
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MILEAGE

Ford 245	1340
Ford 246	800
Chevy K9	267

Mileage Total:	2407
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ARREST FOR AP JUNE

Frezza	511	VTL
Frezza	511	VTL
Frezza	511	VTL
Oliver	512	VTL
Oliver	511	VTL
Croston	511	VTL
Croston	512	VTL
Odde	511	VTL
Peiffer	CPCS	PL
Folchetti	Assault	PL
Tassone	215.51	PL

TOTAL ARRESTS	11
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Fuel:	307
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PARKING ENFORCEMENT

P.E.O Stockburger -	Hours:	36
	Summons:	48

SECURITY VISITS PATROL

Sewer:	154
Water Tank:	149
Well Field:	103

TOTAL VISITS	406
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FOOT PATROL

Main St:	85
Village:	51
Metro North:	82

TOTAL FOOT PATROL	218
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911 Calls	56
Walkin complaints	28
Administration	23 Officer in station with reports
Assists	42

911 DISPATCHED CALLS – 56

AIDED CASE – 7
VEHICLE ACCIDENT – 10
ASSAULT – 3
BURGLARY – 2
KIDNAPPING – 1
CRIMINAL CONTEMPT - 1
DISPUTE – 4
DOMESTIC DISPUTE - 2
911 HANG UP – 5
FIRE ALARM – 3
SUSPICIOUS PERSON – 1
HARASSMENT – 2
NOISE COMPLAINT – 2
BURGLARY ALARM – 1
CRIMINAL MISCHIEF – 2
INTOX MALE – 2
INTOX DRIVER - 1
BOLO – 1
STOLEN VEHICLE – 1
ERRATIC DRIVER – 1
VEHICLE LOCKOUT – 2
BLOCKED DRIVEWAY – 1
ILLEGAL PARKING - 1

SELECTIVE TRAFFIC ENFORCEMENT
MONTH OF JUNE 2011

STOP SIGN – 26

CELL PHONE – 20

SPEEDS – 45

SEAT BELTS – 12

RED LIGHT – 4

UNLICENSED DRIVER – 19

VEHICLE TRAFFIC LAW ARRESTS - 8

D.O.T. TRUCK ENFORCEMENT – 58

TOTAL - 192